

# The Gazette of India

सत्यमेव जयते

EXTRAORDINARY

PART II—Section 1

PUBLISHED BY AUTHORITY

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No. 15 ] NEW DELHI, THURSDAY, JUNE 1, 1950

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MINISTRY OF LAW

*New Delhi, the 1st June 1950*

## THE ANDAMAN AND NICOBAR ISLANDS (AMENDMENT) REGULATION, 1950

REGULATION No. II OF 1950

A Regulation further to amend the Andaman and Nicobar Islands  
Regulation, 1876.

In exercise of the powers conferred by clause (2) of article 243 of the Constitution, the President is pleased to promulgate the following Regulation made by him:—

**1. Short title and commencement.**—(1) This Regulation may be called the Andaman and Nicobar Islands (Amendment) Regulation, 1950.

(2) It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint in this behalf.

**2. Substitution of new sections for sections 13, 14 and 14A, Regulation III of 1876.**—For sections 13, 14 and 14A of the Andaman and Nicobar Islands Regulation, 1876 (hereinafter referred to as the said Regulation), the following sections shall be substituted, namely:—

*“13. Application of the Code of Criminal Procedure, 1898, with modifications.*—In its application to the Andaman and Nicobar Islands, the Code of Criminal Procedure, 1898 (Act V of 1898), shall be subject to the following modifications, namely:—

(a) the Andaman and Nicobar Islands shall form one sessions division and the Chief Commissioner shall be the Sessions Judge of that division;

(b) save as otherwise expressly permitted by this section, the functions of the High Court under that Code shall be discharged by the High Court in Calcutta;

(c) all the powers conferred upon the High Court by section 526 of that Code may also be exercised, as far as may be, by the Sessions Judge;

(d) the Chief Commissioner may, either on his own motion or on application made to him in this behalf and after holding such inquiry into the matter as he thinks fit, recommend to the High Court in Calcutta that any case or class of cases which may lie to the High Court be heard by that Court at a place in the Andaman and Nicobar Islands, and if the Chief Justice of the High Court in Calcutta, on receipt of such recommendation, is of opinion that it should be so heard, he may depute one or more Judges of the High Court to sit at such place in the Andaman and Nicobar Islands and at such time as may be specified for the disposal of such case or class of cases.

14. *'High Court' for the purposes of the Code of Civil Procedure, 1908.*—In the application of the Code of Civil Procedure, 1908 (Act V of 1908), to the Andaman and Nicobar Islands, the functions of the High Court under that Code shall be discharged by the High Court in Calcutta.

14A. *Power of High Court to make rules.*—Subject to the previous approval of the Central Government, the High Court in Calcutta may make rules for the purpose of regulating all proceedings in civil or criminal appeals which may be brought before it, including the admission of such appeals, the passing of interlocutory orders therein and the delegation to such judicial officer as it thinks fit of any judicial, quasi-judicial and non-judicial duties."

3. **Amendment of section 32, Regulation III of 1876.**—Section 32 of the said Regulation shall be renumbered as sub-section (1) of that section, and after that sub-section as so renumbered, the following sub-sections shall be inserted, namely:—

"(2) Notwithstanding anything contained in the Code of Criminal Procedure, 1898 (Act V of 1898), all offences punishable under section 31 shall be cognizable.

(3) Any forest officer not below the rank of a forest ranger may also exercise the powers of a police officer to arrest without a warrant any person who may be reasonably suspected of having committed an offence under clause (a) of section 31."

4. **Transfer of certain pending proceedings to the High Court in Calcutta.**—All appeals, revisions and other proceedings of a civil or criminal nature which, immediately before the commencement of this Regulation, are pending before the Chief Commissioner in the discharge of his functions as the High Court in the Andaman and Nicobar Islands shall, on such commencement, stand transferred to the High Court in Calcutta and shall be disposed of by the High Court as if such appeals, revisions or other proceedings had been pending before that Court.

RAJENDRA PRASAD,  
President.

K. V. K. SUNDARAM,  
Secy. to the Govt. of India.